

REMARKS

Amendment To Claims

In order to advance the prosecution of this application, Applicants are amending independent Claims 9, 13, 34 and 39 to recite a first layer in direct contact with the first electrode (see e.g. 101 and 102 in Fig. 1) and a second layer in direct contact with the second electrode (e.g. 103 and 106 in Fig. 1). No new matter is being added. Therefore, it is respectfully requested that this amendment be entered and allowed.

Applicants will now address each of the Examiner's rejections in the order in which they appear in the Final Rejection.

Claim Rejections - 35 USC §102

In the Final Rejection, the Examiner rejects Claims 9-20 and 32-47 under 35 USC §102(b) as being anticipated by Kido et al. (US 2003/0189401). This rejection is respectfully traversed.

More specifically, in the rejection, the Examiner contends that the "cathode" and the "anode" in Kido correspond to the "first electrode" and the "second electrode" of independent Claims 9, 13, 34 and 39, respectively. Further, it appears that the Examiner is contending that the "charge generation layer" in Kido corresponds to the "first layer" and the "second layer" of independent Claims 9, 13, 34 and 39 as the Examiner contends that there are two hole transporting layers in Fig. 2 in Kido and that Kido discloses that the charge generation layer includes "a laminated and/or a mixed layer including an organic compound...and an inorganic...material" and cites paragraph [0028] in Kido which mentions a hole transporting property.

The Examiner further argues that in Kido, the first and second layer respectively contact the first and second electrodes as the Examiner is interpreting the term “contact” to “mean direct or indirect contact, i.e., contacting through another solid object.”

While Applicants disagree, in order to advance the prosecution of this application as explained above, Applicants are amending independent Claims 9, 13, 34 and 39 to recite “a first layer in direct contact with the first electrode” and “a second layer in direct contact with the second electrode.”

In contrast, the charge generation layer in Kido is not in direct contact with the first electrode or the second electrode (i.e. cathode and anode, respectively), as shown in Fig. 8 in Kido. Hence, Kido does not disclose or suggest these claimed features of Claims 9, 13, 34 and 39.

Therefore, independent Claims 9, 13, 34 and 39 are not disclosed or suggested by Kido, and Claims 9, 13, 34, 39 and those claims dependent thereon are patentable over Kido.

Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

The Examiner also rejects Claims 32, 33, 38 and 37 under 35 USC §103(a) as being unpatentable over Kido in view of Nakaya et al. (US 2004/0234814). This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, each of these claims is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

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Respectfully submitted,

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